

**CALIFORNIA DEPARTMENT OF TRANSPORTATION
POSITION DUTY STATEMENT**

CLASSIFICATION TITLE Litigation Specialist II	DISTRICT/DIVISION/OFFICE 42-LEGAL-SACRAMENTO	
WORKING TITLE Litigation Specialist II	POSITION NUMBER 701-001-6329-xxx	EFFECTIVE 03/2013

As a valued member of the Caltrans team, you make it possible for the Department to improve the mobility across California by being innovative and flexible; working cooperatively with team members and others; and treating others fairly, honestly and with respect. Your efforts are important to each member of the team, as well as those we serve.

GENERAL STATEMENT:

Under the direction of an Assistant Chief Counsel, the incumbent provides a variety of specialized investigative and court services needed to gather and present evidence in defense of lawsuits against the Department. This position does allow for limited autonomy, however, investigators are expected to remain in regular contact with immediate supervisor via telephone and electronic calendar access when working in the field or otherwise not available in the office. May act as lead specialist of a multi-disciplinary group.

TYPICAL DUTIES:

Percentage Essential (E)/ Marginal (M)	Job Description
50% (E)	Locate and obtain case related documentation and evidence on the most complex cases; conduct investigations in the office and field; correspond with and interview eyewitnesses, reporting parties, investigating officers, tow operators, fire department personnel, ambulance personnel, coroner's investigators, medical experts, other law enforcement personnel and experts in other scientific fields in relation to lawsuits, hearings and/or claims; collect actual physical evidence such as returning to collision scene to identify debris, gouges and other evidence that may still exist and is identifiable to the trained eye and perform other related work; take routine photos and measurements of collision sites, vehicles and surroundings; locate, establish chain of custody and purchase involved vehicles; check civil and criminal indexes, use online databases for witness inquiries and document searches; develop background information on the involved parties; locate records and witnesses, perform public records checks.
25% (E)	Record collision scene and vehicles with multi-lens 35mm or digital camera, video cameras and measuring devices; coordinate traffic control when reconstruction or road closure activities occur; measure and prepare collision scenes for aerial photography; assist with dynamic tests that may be performed to develop evidence; buy or lease exemplar vehicles to recreate original highway conditions and environment using the appropriate purchasing rules; maintain

documentation of all purchases; and make film and video records of such tests.

- 10% (E) Analyze complex information gathered by investigation; articulate investigation conclusions and how it supports the case; make recommendations and provide thorough written reports; request, review and evaluate engineering and other expert analyses of collision scenes, vehicles, roadway signage and adjacent roadway design and maintenance reports and/or document; and keep accurate files, financial reports, etc.
- 10% (E) Prepare comprehensive exhibits to be used in court or administrative actions; attend trial and assist with the necessary preparation and transport of exhibits and other trial or claims documentation; testify in court to lay foundation for exhibits prepared or prepared by the investigator or created at the instruction of specialist.
- 5% (M) Serve legal documents, including service of subpoenas, summons, complaints and deposition notices; pick up and preserve laboratory and other physical evidence; provide regular updates and status of cases/projects to supervisor; maintain contact with supervisor via telephone, email and electronic calendar access; work with management and staff on other job related duties as required.

SUPERVISION EXERCISED OVER OTHERS

None. May work as a lead worker for a small group of individuals classified as Litigation Specialist I.

KNOWLEDGE, ABILITIES AND ANALYTICAL REQUIREMENTS

Knowledge of: Working knowledge of legal concepts, terminology, principles and procedures; correct English usage; basic elements of physical science and mathematics; basic interviewing techniques; civics; information sources; criminal and civil codes; the role of Federal, State and local law enforcement agencies; modern video and photography methods; modern business practices; and computer literacy. It is also highly desirable that the incumbent has an overall understanding of Caltrans' Legal Program's objectives and priorities.

Ability to: Work independently; lead a team of investigators; approach a problem by using a logical, systematic, sequential approach; weigh the costs, benefits, risks, implications, and chances for success, when making a decision; use technology to simplify and streamline tasks; write clear and concise reports; learn new technology techniques to enhance the job; listen to others and communicates in an effective manner; ensure that others involved in a project or effort are kept informed about developments and plans; give and receive constructive feedback; recognize differences of opinion, bring them out into the open for discussion, and look for win-win solutions; use appropriate interpersonal styles and methods to reduce tension or conflict between two or more people/groups; create solutions to problems using novel methods and processes; identify and respond to current and future client needs; provide excellent service to internal and external clients; make critical and timely decisions in difficult or ambiguous situations; identify the information needed to clarify a situation and drawing out the information when others are reluctant to disclose it; take responsibility for own work, including problems and issues; anticipate and prevent breaches in confidentiality and/or security; notice trends and develops plans to prepare for opportunities or problems; anticipate how individuals and groups will react to situations and information and plan accordingly; presents arguments that address

others' most important concerns and issues and looks for win-win solutions; identify and propose solutions that benefit all parties involved in a situation; develop, maintain, and strengthen relationships with others inside or outside of the organization who can provide information, assistance, and support; ensure the effective, efficient, and sustainable use of public service resources and assets; identify, assess, and manage risk while striving to attain objectives; function effectively when under pressure and maintain self control in the face of hostility or provocation; communicate ideas, thoughts, and facts in writing.

CONSEQUENCE OF ERROR/RESPONSIBILITY FOR DECISIONS

The employee deals with confidential information and if the employee improperly uses or discloses the information criminal and civil laws can hold the employee personally responsible. The employee is the first line contact with the general public in many cases. Failure to conduct and record investigations properly adversely affect the department's public image and result in major financial losses for both the Department and the State of California.

PUBLIC AND INTERNAL CONTACTS

The incumbent must consult with all levels of staff in the Legal Division and other administrative programs; have a wide variety of contacts with court staff, judges, departmental staff, private industry, and other governmental agency representatives. Employee has contact constant contact with private citizens as a representative of the Legal Division. Employee is expected to be respectful, considerate and professional to those people they contact and work with on a daily basis.

PHYSICAL, MENTAL AND EMOTIONAL REQUIREMENTS

Must be able to work appropriately and effectively under stress, manage complex and varied workload and meet deadlines. Ability to work on a keyboard; manual dexterity; sitting for long periods. Must be able to stoop, kneel, or bend and routinely lift and move large or cumbersome court exhibits from one location to another.

WORK ENVIRONMENT

While at their base of operation, employees will work in a climate-controlled office under artificial light. However, due to periodic problems with the heating and air conditioning, the building temperature may fluctuate. Employee will be required to travel and work outdoors and may be exposed to dirt, noise, uneven surfaces, and/or extreme heat or cold. This position does allow for limited autonomy, however, investigators are expected to remain in regular contact with immediate supervisor via telephone and electronic calendar access when working in the field or otherwise not available in the office.

I have read, understand and can perform the duties listed above. (If you believe you may require reasonable accommodation, please discuss this with your hiring supervisor. If you are unsure whether you require reasonable accommodation, inform the hiring supervisor who will discuss your concerns with the Reasonable Accommodation Coordinator.)

SUPERVISOR

DATE

EMPLOYEE

DATE

I have discussed the duties with and provided a copy of this duty statement to the employee named above.